

**James Madison to Joseph Jones, October 17, 1780.  
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**TO JOSEPH JONES.<sup>1</sup>**

1 From the Madison papers (1840).

Philadelphia, October 17, 1780.

Dear Sir, —The post having failed to arrive this week, I am deprived of the pleasure of acknowledging a line from you.

Congress have at length been brought to a final consideration of the clause relating to Indian purchases, [by the land companies.] It was debated very fully and particularly, and was, in the result, lost by a division of the House. Under the first impression of the chagrin, I had determined to propose to my colleagues to state the whole matter to the Assembly, with all the circumstances and the reasonings of the opponents to the measure; but, on cooler reflection, I think it best to leave the fact in your hands, to be made use of as your prudence may suggest. I am the rather led to decline the first determination, because I am pretty confident, that, whatever the views of particular members might be, it was neither the wish nor intention of many who voted with them, to favor the purchasing companies. Some thought such an assurance from Congress unnecessary, because their receiving the lands from the States as *vacant* and unappropriated, excluded all individual claims, and because they had given a general assurance that the cession should be applied to the common benefit. Others supposed that such an assurance might imply, that without

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it Congress would have a right to dispose of the lands in any manner they pleased, and that it might give umbrage to the States claiming an exclusive jurisdiction over them. All that now remains for the ceding States to do, is to annex to their cessions the express condition, that no private claims be complied with by Congress. Perhaps it would not be going too far, by Virginia, who is so deeply concerned, to make it a condition of the grant, that no such claim be admitted even within the grants of others, because, when they are given up to Congress, she is interested in them as much as others, and it might

so happen, that the benefit of all other grants, except her own, might be transferred from the public to a few landmongers. I cannot help adding, however, that I hope this incident in Congress will not discourage any measures of the Assembly, which would otherwise have been taken [for the object] of ratifying the Confederation. Under the cautions I have suggested, they may still be taken with perfect security.

Congress have promoted Col. Morgan to the rank of a Brigadier, on the representations in favor of it from Governors Rutledge, and Jefferson, and General Gates. The latter is directed to be made a subject of a Court of Inquiry, and General Washington is to send a successor into the Southern department. The new arrangement of the army, sent to the General for his revision, has brought from him many judicious and valuable observations on the subject, which, with the arrangement, are in the hands of a committee.